



6 Wheat Drive
Morrisonville, NY 12962
September, 13, 2010

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: TV White Spaces
ET Docket Nos. 04-186 and 02-380

Dear Ms. Dortch:

My company, Mountain Wireless LLC, provides fixed wireless broadband service in the northern part of the Adirondack Park. We rely primarily on unlicensed spectrum to deliver broadband services to consumers that have no [or few] broadband choices. We built our network from scratch using devices authorized under Part 15 rules the FCC adopted to open up 900 MHz, 2.4 GHz and 5 GHz spectrum for unlicensed broadband devices. Thanks to the Commission's initiatives, consumers in underserved areas of Clinton, Essex and Franklin Counties can now receive broadband service.

Mountain Wireless LLC is very interested in utilizing television white spaces so that we can expand and improve our service. The vast majority of our customers are found within the Adirondack Park where there are too few towers due to Park restrictions and the topology. We are also limited by several natural obstacles such as trees, mountains, and bodies of water. The lack of towers and abundance of natural obstacles have greatly limited our ability to provide service to underserved areas within Clinton, Essex, and Franklin Counties. The customers we do have are very happy to have broadband access. We have a long list of potential customers (who have actually contacted us) waiting on Mountain Wireless LLC to be able to provide our wireless broadband service to their homes which are currently out of our signal reach. We are committed to deploying as soon as equipment for point-to-multipoint service is commercially available.

I am pleased that the FCC will be acting on TV white space petitions for reconsideration in the near future. There are several proposals that would help us to deploy service:

First, the FCC should allow WISPs to operate using base station antennas mounted higher than 30 meters, and we should be allowed to install customer antennas (CPE) at heights below 10 meters. If we could increase our base station antenna height to 100 meters, we could cover three times more area with a base station and reduce our equipment, tower acquisition and tower lease fees by a large amount – an amount that could be the difference between deploying or not deploying in an area. We support the WISPA and Motorola proposals to increase base station height. By removing any minimum CPE height restrictions, we would not have to put tall masts on residences and we would be able to provide service at a lower cost.

Second, we believe we should be allowed to operate with power in excess of 4 Watts EIRP in rural areas. As is the case with tower height, operating with higher power will give us a greater coverage area and we will not need to spend as much money on infrastructure.

Third, we are very concerned about a proposal made by FiberTower and others to license white space spectrum for point-to-point wireless backhaul. Not only would adopting this proposal take six channels (36 MHz) and perhaps more channels away from us, but WISPs also would have to protect these licensed links. Moreover, channels and areas far beyond the links would be blocked because the signals from the licensed links would overshoot the path and the endpoints. This is due to the low-coast, low-gain antennas FiberTower wants to use. We also would not deploy if a licensed point-to-point user could come along later and put us out of business with a licensed link. We support the views expressed by WISPA in their September 8 letter and ask the FCC to reject the FiberTower proposal.

The “North Country” of New York state is an economically depressed area with unemployment rates higher than the national average. If Mountain Wireless LLC could utilize the television white spaces, it would greatly enhance the potential for job growth in our area. Customers would be able to work online from home for companies hundreds of miles away. Companies knowing that wireless broadband is readily available within the Adirondack Park may even decide to move here or start here thus increasing the employment rate in our area. This goes without saying, but it would without a doubt, help our company grow as well.

Sincerely,

Kevin C. McGinnis
Chief Technology Officer